

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:11cv306**

<b>MELISSA ALVAREZ, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>WELLS FARGO BANK, N.A.,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the Court *sua sponte*.

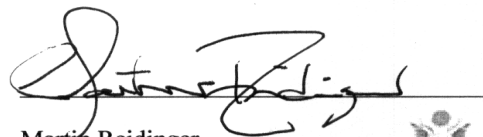
On June 6, 2012, the Court entered an Order severing the claims of the Plaintiffs in this matter and giving the Plaintiffs thirty (30) days to refile their severed claims as individual cases or to seek dismissal of their claims. [Doc. 16]. Upon motion of the Plaintiffs, the Court later extended the deadline for taking such action until August 6, 2012. [Doc. 19].

In accordance with the Court's Order, on August 6, 2012, Plaintiffs Linda Morard, Oliver Morard, David Whitmer, Sr., and Patricia Whitmer refiled their claims as individual civil actions. See Morard, et al. v. Wells Fargo Bank, N.A., No. 1:12cv212 (W.D.N.C.) and Whitmer, et al. v. Wells Fargo Bank, N.A., No. 1:12cv213 (W.D.N.C.). However, these Plaintiffs' claims remaining pending in the present civil action as well.

Accordingly, **IT IS, THEREFORE, ORDERED** that within ten (10) days of the entry of this Order, Plaintiffs Morard and Whitmer shall **SHOW CAUSE** in writing why the present civil action, No. 1:11cv306, should not be dismissed so that the Plaintiffs can prosecute their claims in Civil Action Nos. 1:12cv212 and 1:12cv213, respectively.

**IT IS SO ORDERED.**

Signed: August 17, 2012

A handwritten signature in black ink, appearing to read "Martin Reidinger", written over a horizontal line.

Martin Reidinger  
United States District Judge

